

## REMARKS

Claims 1-17 are currently pending in the application. By this amendment, claim 11 was amended. The above amendment does not add new matter to the application and is fully supported by the specification. For example, claim 11 was amended to correct the spelling of "information". Reconsideration and withdrawal of all pending rejections in view of the following remarks is respectfully requested.

### **35 U.S.C. § 103 Rejection**

Claims 1-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 6,353,861 to Dolin, *et al.* ("DOLIN") in view of U. S. Patent No. 6,105,147 issued to Molloy, *et al.* ("MOLLOY"). This rejection is respectfully traversed.

The Examiner asserts that DOLIN shows all of the features of the claimed invention except the use of a transaction receipt message prior to completion, such that MOLLOY shows work being requested, and in element 316 resources are added and notified (element 318), then in element 322 work is performed. Applicants respectfully disagrees with the Examiner's assertions.

The claimed invention relates to software framework planning, and more particularly, to a system and method for process planning and execution of separate phases of a plan in order to schedule and/or coordinate complex tasks on more than one computer system. One embodiment of the method includes providing cooperating source phases for performing computations and creating at least one target phase from at least one of the cooperating source phases, where the target phase performs target phase computations.

Therefore, Applicant's claim 1 recites, in part:

"...providing cooperating source phases for performing computations, where each of the cooperating source phases include an associated program for performing the computations;

...creating at least one target phase from at least one of the cooperating source phases, the at least one target phase performing target phase computations..."

The Applicant's claim 14 recites, in part:

“...means for providing cooperating source phases for performing computations, where each of the cooperating source phases include an associated program for performing the computations;

...means for creating at least one target phase from at least one of the cooperating source phases, the at least one target phase performing target phase computations...”

The Applicant's claim 17 recites, in part:

“...providing cooperating source phrases for performing computations where each of the cooperating source phrases include an associated program for performing the computations;

...creating at least one target phase from at least one of the cooperating source phases, the at least one target phase performing target computations...”

Applicants submit that, while disclosing use of network variables to permit event scheduling based on arbitrary conditions, such that, a network variable may be thought of as a data object shared by multiple nodes where some nodes are “readers” of the object, and other nodes are “writers” of the object, see Col. 7, lines 46-49, DOLIN fails to teach or suggest providing cooperating source phases for performing computations, where each of the cooperating source phases include an associated program for performing the computations, as well as creating at least one target phase from at least one of tile cooperating source phases, the at least one target phase performing target phase computations, as recited in at least independent claims 1, 14 and 17.

MOLLOY discloses using a concurrent aspect (e.g., an object-like interface) to permit an application program to access a protected resource. When a transaction with the protected resource is complete, the concurrent aspect forwards a transaction record to a pre-determined serial aspect. The serial aspect replays the transaction using the transaction record. If the replay is consistent with the record, the serial aspect sends a message to the concurrent aspect voting to commit the transaction. However, in contrast to the instant invention, MOLLOY fails to teach or suggest providing cooperating source phases for performing computations, where each of the cooperating source phases include an associated program for performing the computations, as well as creating at least one target phase from at least one of tile cooperating source

phases, the at least one target phase performing target phase computations, as recited in at least independent claims 1, 14 and 17.

Moreover, neither DOLIN nor MOLLOY disclose or suggest specific and separate phases having the option to wait on completion of a transaction and receipt of a message of external information , as recited in claims 1, 14 and 17 or that such option occurs prior to completion of the computations or the target phase computations, as recited by claims 1 and 14.

In this regard, the Examiner admits that DOLIN fails to disclose or suggest the above-noted features (see Office Action dated 9/8/2004, page 3, paragraph 5), but asserts (in the present Final Office Action) that step 378 of MOLLOY teaches the above features. However, the Examiner's attention is directed to Col. 11, lines 44-51, in which it is disclosed that, in receiving the forget transaction message the MOLLOY device *performs whatever processing is required to mark the current transaction as complete*, which is contrary to the claimed invention. Moreover, as the serial aspect of MOLLOY only receives a transaction record from the concurrent aspect once a transaction associated with the concurrent aspect has been completed and as the serial aspect replies to the concurrent aspect only after all transaction computations have been completed, Applicants submit MOLLOY fails to teach or suggest "receipt of a message of external information prior to completion of the computations or the target phase computations," as recited in the pending claims.

Because neither DOLIN nor MOLLOY teaches or suggests at least the above-noted features, Applicants submit that no proper combination of these documents can render unpatenable at least the independent claims 1, 14 and 17.

Moreover, the Examiner asserts it would have been obvious to one skilled in the art at the time of the invention was made to combine the teachings of MOLLOY and DOLIN, because MOLLOY's use of a transaction receipt would improve DOLIN's system by being able to keep track of the completion of each transaction. Applicant disagrees with the Examiner's assertions. In particular, DOLIN's network provides for sensing of current environmental factors and control of apparatus affecting the environmental factors, as opposed to MOLLOY which is directed to transaction processing in fault-tolerant computer systems for protecting the state of a resource

manager during transaction processing.

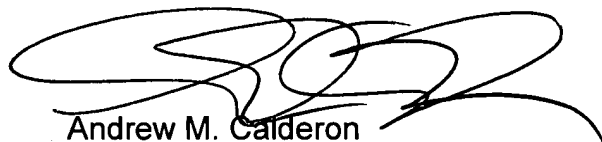
Applicant's respectfully submit the above references are solving completely two different problems, and one skilled in the art would not look to MOLLOY to modifying DOLIN. The transaction system of MOLLOY is a check system making sure the concurrent aspect does not effect or overwrite the internal processes of the system in case of a rollback. (Col. 4, lines 1-15) In fact, the DOLIN device does not have the concerns of a rollback situation. Thus, Applicants submit that neither reference teaches or suggests the requisite motivation or rationale for modifying DOLIN to include the transaction system of MOLLOY.

Accordingly, claims 1 and 14, which recite this feature, are further patentable over MOLLOY, either alone or in combination with DOLIN. Claims 2-13 and 15-16 are allowable based on their dependencies from allowable base claims 1 and 14 respectively. Thus, claims 1 and 14, which recite this feature, are further patentable over any proper combination of the applied art. Claims 2-13 and 15-16 are allowable based on their dependencies from allowable base claims 1 and 14 respectively. Accordingly, withdrawal of the rejection of claims 1-17 is respectfully requested.

### CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the rejections have been overcome, and that the claims are patentably distinct from the prior art of record and in condition for allowance. The Examiner is respectfully requested to pass the above application to issue, and to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to **IBM Deposit Account No. 50-0510 (Yorktown)**.

Respectfully submitted,  
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